



Entered on Docket
June 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE
COMPANY,
USA CAPITAL REALTY ADVISORS,
LLC,
USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,
USA CAPITAL FIRST TRUST DEED
FUND, LLC,
USA SECURITIES, LLC,
Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007
Time: 9:30 a.m

Affecting:

☐ All Cases

or Only:

- ☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

**AMENDED ORDER SUSTAINING TWENTY-SIXTH OMNIBUS
OBJECTION OF THE USACM LIQUIDATING TRUST TO CLAIMS
ASSERTING SECURED STATUS (Amended as to add Rieger Response and
to delete Claim Nos. 10725-02208 and 10725-02209 from Exhibit A)**

The USACM Liquidating Trust (the “USACM Trust”) filed its Twenty-Sixth Omnibus Objection to Claims Asserting Secured Status [DE 3184] (the “Objection”) on March 20, 2007. Appropriate notice of the Objection was given. An Opposition was filed by Larry L. Rieger, Trustee, pertaining to Claim No. 10725-02208 and by Patsy R. Rieger, Trustee, pertaining to Claim No. 10725-02209 [DE 3489]. No other responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust’s Twenty-Sixth Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

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PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☒ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - ☐ approved the form of this order;
 - ☐ waived the right to review the order;
 - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
 - ☒ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☐ No opposition was filed and no other party or counsel appeared at the hearing.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
 Susan M. Freeman
 Rob Charles
Attorneys for USACM Liquidating Trust

APPROVED/DISAPPROVED

APPROVED/DISAPPROVED

Larry L. Rieger, Trustee

Patsy R. Rieger, Trustee

26th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	Richard A. Nielsen Inc. 1305 Bonnie Cove Ave Glendora, CA 91740	10725-00680	10/23/2006	\$100,000.00	S
2	Richard A. Nielsen Inc. Psp 1305 Bonnie Cove Ave Glendora, CA 91740	10725-00679	10/23/2006	\$100,000.00	S
3	Richard A. Nielsen Inc., A California Corporation 1305 Bonnie Cove Ave Glendora, CA 91740	10725-00678	10/23/2006	\$100,000.00	S
4	Richard N Anderson Separate Property Tr Richard N Anderson Ttee 7417 Oak Grove Las Vegas, NV 89117	10728-00131	11/17/2006	\$200,000.00	S
5	Rieger Ira, Larry L 2615 Glen Eagles Dr Reno, Nv 89523	10725-02208	1/12/2007	\$182,580.00	S, U
6	Rieger Ira, Patsy R 2615 Glen Eagles Dr Reno, Nv 89523	10725-02209	1/12/2007	\$50,716.67	S, U
7	Riordan, Cecil E & Barbara 2370 Overlook Ct Reno, NV 89509	10725-01913	1/10/2007	\$57,069.30	S, P
8	Rizzo, William 146 Triborg Ct Henderson, NV 89047-2498	10725-00334	9/28/2006	\$27,473.40	S
9	Rnr Living Trust Dtd 10/1/04 C/O Robert & Renee Levy Trustees 2115 Bensley St Henderson, NV 89044-0155	10725-00494	10/9/2006	\$200,000.00	S
10	Robert G Fuller IRA/First Savings Bk Custodian 5172 English Daisy Way Las Vegas, NV 89142	10725-02166	1/12/2007	\$108,272.33	S, U
11	Robert L Ogren Trust Dtd 6/30/92 C/O Robert L Ogren Trustee 3768 Rick Stratton Dr Las Vegas, NV 89120-2647	10725-01543	12/4/2006	\$121,334.20	S, P
12	Robert R Lange Family Trust Bernard Lange Trustee 7915 Helena Ave Las Vegas, Nv 89129	10725-01476	11/14/2006	\$150,000.00	S

13	Robert R Lange Family Trust Bernard Lange Trustee 7915 Helena Ave Las Vegas. NV 89129	10725-01476	11/14/2006	\$150,000.00	S
14	Robert R Rodriguez Revocable Trust Dtd 1/31/06 C/O Robert R Rodriguez Trustee 2809 Easy St Placerville. CA 95667-3906	10725-02070	1/11/2007	\$152,297.26	S
15	Robert W & Joan H Scott Trust Robert W & Joan H Scott Ttees Po Box 33014 Las Vegas. NV 89133-3014	10725-01244	11/10/2006	\$51,591.00	S
16	Robert W Ulm Living Trust Robert W Ulm Trustee 414 Morning Glory Rd St Marvs. Ga 31558	10725-01083	11/7/2006	\$48,000.00	U S - contingent
17	Robert W Ulm Living Trust Robert W Ulm Trustee 414 Morning Glory Rd St Marvs. Ga 31558	10725-01148	11/9/2006	Unknown	S, P, U
18	Roberts, George 1272 Castlecombe Ln Monument. CO 80132	10725-00483	10/6/2006	\$400,000.00	S
19	Rochelle Hornsby Trust Dtd 1/92 Rochelle Hornsby Tte 3959 Pembroke Ct Las Vegas. NV 89121	10725-00045	5/11/2006	\$50,000.00	S
20	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. Nv 89509	10725-01748	12/26/2006	\$500,000.00	S
21	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01749	12/26/2006	\$150,000.00	S
22	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01750	12/26/2006	\$800,000.00	S
23	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01751	12/26/2006	\$200,000.00	S

24	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01752	12/26/2006	\$1,000,000.00	S
25	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01753	12/26/2006	\$110,000.00	S
26	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01754	12/26/2006	\$225,000.00	S
27	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01755	12/26/2006	\$270,000.00	S
28	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01756	12/26/2006	\$350,000.00	S
29	Rocklin/Redding Llc Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno. NV 89509	10725-01757	12/26/2006	\$800,000.00	S
30	Rodriguez, Robert R 2809 Easy St Placerville, CA 95667-3906	10725-02071	1/11/2007	\$329,977.39	S
31	Rogers, James William 78 Seal Rock Dr San Francisco, CA 94121	10725-02220	1/12/2007	\$306,520.06	S, U
32	Roisentul Family Trust Saul & Ilene Roisentul Trustees 74075 Kokopelli Cir Palm Desert. CA 92211-2075	10725-02281	1/12/2007	\$420,268.16	S, U
33	Romonoski, Maury 4429 Peaceful Morning Ln Las Vegas. Nv 89129	10725-02331	1/13/2007	\$125,000.00	S, U
34	Ronald & Marilyn Johnson 1010 Larue Ave. Reno. NV 89509	10725-00640	10/19/2006	\$36,548.00	S

35	Ronald Abrams Enterprises Inc Employee Retirement Ronald & Claire Abrams Ttees 2894 Woodwardia Dr Los Angeles. Ca 90077-2123	10725-01796	12/15/2006	\$50,000.00	S U - unknown
36	Ronald G. Gardner Trust C/O Ronald G. Gardner, Trustee 430 Bavarian Dr. Carson Citv. NV 89705-7010	10725-00663	10/23/2006	\$50,000.00	S
37	Ronald G. Gardner Trust C/O Ronald G. Gardner, Trustee 430 Bavarian Dr. Carson Citv. NV 89705-7010	10725-00664	10/23/2006	\$150,000.00	S
38	Ronald G. Gardner Trust C/O Ronald G. Gardner, Trustee 430 Bavarian Dr. Carson City. NV 89705-7010	10725-00665	10/23/2006	\$200,000.00	S
39	Ronald G. Gardner Trust C/O Ronald G. Gardner, Trustee 430 Bavarian Dr. Carson Citv. NV 89705-7010	10725-00666	10/23/2006	\$50,000.00	S
40	Ronald G. Gardner Trust C/O Ronald G. Gardner, Trustee 430 Bavarian Dr. Carson City. NV 89705-7010	10725-00667	10/23/2006	\$50,000.00	S
41	Ronald G. Gardner Trust C/O Ronald G. Gardner, Trustee 430 Bavarian Dr. Carson Citv. NV 89705-7010	10725-00668	10/23/2006	\$100,000.00	S
42	Ronald G. Gardner Trust C/O Ronald G. Gardner, Trustee 430 Bavarian Dr. Carson City. NV 89705-7010	10725-00675	10/23/2006	\$50,000.00	S
43	Ronald Kiel 700 Marker Ln. Lovelock, NV 89419	10725-00605	10/16/2006	\$50,000.00	S
44	Ronald Kiel 700 Marker Ln. Lovelock, NV 89419	10725-00606	10/16/2006	\$50,000.00	S
45	Rosenthal, Arnold 6059 Woodman Ave Van Nuys, CA 91401-2925	10728-00093	10/3/2006	\$500.00	S
46	Rosenthal, Arnold 6059 Woodman Ave Van Nuys, Ca 91401	10725-00414	10/3/2006	\$51,095.00	S
47	Rotola, Louis 5569 N Country Rd 29 Loveland, CO 80538	10725-01209	11/10/2006	\$75,000.00	S

48	Routsis, Thalia Po Box 4311 Incline Village, NV 89450	10725-01247	11/10/2006	\$57,833.00	S, U
49	Routsis, Thalia Po Box 4311 Incline Village, NV 89450	10725-01249	11/10/2006	\$50,000.00	S
50	Routsis, Thalia Po Box 4311 Incline Village, NV 89450	10725-01253	11/10/2006	\$65,275.00	S, U